

First offence shall be a warning; second offence shall be \$100.00. Third offence shall be \$300.00 and each day that the violation exists shall be deemed to be a separate offence, or take any action relative thereto.

2. The adoption of this amendment would allow the Town Building Department to issue tickets per the provisions of Massachusetts General Law, chapter 40, Section 21D and would set up the fee schedule for each offence as it occurs. This process would be an alternative allowing the Department to either issue a violation letter or a ticket.

Submitted by the Board of Selectmen

**Motion:** *Moved that the Town vote to amend Seekonk Town By-Law Category 39 "Enforcement, Section 1 (b) Non-criminal disposition;" as presented in this warrant.*

**Article 28:**

To see if the Town will vote to amend the General Bylaws by amending the Seekonk Bylaws as follows: Section 2C: establish a Permanent Building Committee

**CATEGORY 2C – PERMANENT BUILDING COMMITTEE**

The purpose of this By-Law is to provide for a Permanent Building Committee that has continuing responsibility for the management of major construction and maintenance projects of all buildings and facilities of the Town of Seekonk and for which funds are appropriated by Town Meeting. The Permanent Building Committee shall: review the design of every project and prepare design and construction specifications in accordance with the Chief Procurement Officer and all bid documents, and conduct all procurement processes as directed by the Chief Procurement Officer; be responsible for financial estimates; oversee construction for those projects for which funds are appropriated by Town Meeting; and, establish guidelines for communication with the Capital Improvement Committee, interested committees, and the public regarding proposed projects.

SECTION 2: Establishment

There is hereby established a Permanent Building Committee, which shall oversee the design, construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of Town buildings and related site improvements, including School Department buildings and municipal buildings, and including any significant installation, renovation or upgrade of service equipment and major systems as provided in this By-Law.

### SECTION 3: Definitions

For purposes of this By-Law, the following definitions shall apply:

- 1) "Construction" means whatever is necessary to implement or complete a building project, except project design and acquisition of funds. It includes excavation, filling and grading of the building or project site.
- 2) "Design" means schematic design, design development, and development of construction documents (or equivalent documents) from the project goals established by the Proposing Body. It includes selection of architects and consultants as needed in compliance with applicable provisions of the General Laws.
- 3) "Major Maintenance" shall include projects that are capital in nature, that is: a substantial improvement to or repair of a building, structure, Building Service Equipment, major system or related infrastructure; intended to have a useful life of five or more years; and, has an estimated cost of more than \$25,000, or such other amount as may be established from time to time by the Town Administrator subject to approval by the Board of Selectmen and/or the School Committee, in writing addressed to the Permanent Building Committee.
- 4) "Building Service Equipment and Major Systems" means the mechanical, electrical and elevator equipment, including piping, wiring, fixtures and other accessories, which provide sanitation, lighting, heating, ventilation, fire suppression and other physical features that are essential for the habitable occupancy of a building or structure for its designated use. It includes process piping, specialized electrical systems, boilers, elevators, generators, HVAC systems, septic systems, fire alarms, overhead doors, automatic handicapped access doors, major electrical service including wiring and fixtures, major plumbing service including piping and sanitation fixtures, and building skin (roofs, gutters, masonry, windows, exterior paint, etc.). It does not include tangible items that may be installed in a building but which are not capital in nature, such as information system technology (computers and computer systems).
- 5) "Municipal Buildings" shall refer to public buildings, including buildings under the supervision of the School Department and the Library Trustees.
- 6) "Project" means any of the following in connection with any Town building or other structures or any of the Building Service Equipment: erection, alteration, rehabilitation, remodeling, acquisition and installation of original equipment and furnishings, demolition, removal, excavation, filling, and grading. It does not include public works infrastructure such as streets, drainage systems and the like, or any uninhabited buildings and other structures used exclusively in connection with such public works infrastructure; it does not include routine maintenance and upkeep of a building or other structure or its service equipment which is performed on a regular basis in connection with the normal use of the building or structure.
- 7) "Project Goals" means the general objectives and the particular needs to be met through the construction of the project.
- 8) "Proposing Body" means the Town of Seekonk Board of Selectmen, School Committee, Library Trustees, or other elected board that has custody, care and maintenance of public buildings or land which is sponsoring or requesting a construction or major maintenance project. The Proposing Body is responsible for:
  - a) Determination of the goal for the proposed project, including the function and needs which it is designed to fulfill, expanded services, auxiliary public use if any, additional personnel required to maintain the facility, annual maintenance costs, expected hours of

the facility's availability, and overall effect on the services that are delivered to the citizens of the Town, and the cost of providing such services.

- b) Performance of feasibility studies and needs analysis, including the plans of the Municipal Capital Improvement Committee to determine the necessary features and estimated size and cost requirements of the project, as well as the estimated requirements for equipment and furnishings.
  - c) Approval of transitional building plans, including health and safety protocols for maintaining the underlying service associated with the facility while construction takes place.
  - d) Approval of any design changes or budget reprioritization having a material impact, as determined by the Permanent Building Committee and the Board of Selectmen on the programmatic design, transitional building plans, or outcome of the project.
- 9) Structures -- Anything erected requiring location on the ground or attachment to something having location on the ground, including Recreational Areas, Athletic Fields, Parking Lots and Swimming Pools.

#### SECTION 4: Membership

- 1) Regular Members. The Permanent Building Committee shall consist of five (5) regular voting members, all serving without compensation. The composition of the Permanent Building Committee shall include, to the extent possible, one registered architect, one licensed engineer, one individual who is primarily engaged in the construction business, and one attorney. No such member shall be an officer, official, or paid employee of the Town, or a member of any other board or committee, except advisory and ex-officio members as provided in this bylaw. All regular members shall be residents of the Town of Seekonk. All regular members shall be appointed by the Board of Selectmen as the appointing authority in accordance with the provisions of CATEGORY 2A of the General Bylaws.
- 2) Liaisons. For each municipal project, a liaison who is a member or representative of the Proposing Body and an additional liaison who is a member or representative of the Capital Improvement Committee shall be appointed by their representative Committee Chairperson.
- 3) Advisory Quasi-Member. For each project, the Permanent Building Committee may invite staff or other Town residents with particular expertise to advise the Committee related to that project. The Permanent Building Committee may also request the designation of Town staff with similar expertise to serve in an advisory capacity for a particular project. Such advisory or assigned individuals may participate in the activities of the Permanent Building Committee with respect to the particular project but shall not have the right to vote. Any such request shall be made to the Town Administrator for Town employees other than School Department personnel, and to the Superintendent of Schools for School Department personnel. The Town Administrator and Superintendent shall determine the appropriate staff member in each case. Such Ex Officio Advisory Quasi-members shall not have voting authority.
- 4) Term of Appointment

- a) Regular members shall be appointed for a three (3) year term. In making the original appointments under this By-Law, the appointing authority shall designate two regular members to serve for no more than three years ending on June 30 of the third year, two regular members to serve for no more than two years ending on June 30 of the second year, and one regular member to serve for no more than one year ending on June 30 of the first year. Thereafter, vacancies shall be filled for a three year term beginning on July 1. Upon expiration of a term, members shall continue to serve until a successor has been appointed and qualified.

#### SECTION 5: Powers and Duties of the Committee

- 1) General Duties. The Permanent Building Committee shall have general oversight of design, construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of Town buildings, including School Department buildings and Municipal Buildings, and including any significant installation, renovation or upgrade of Building Service Equipment and Major Systems as provided in this By-Law.
- 2) Review and Audit of Buildings. The Permanent Building Committee, with the Capital Improvement Committee shall annually review and audit the physical condition of all municipal and school buildings, including service equipment and major systems. It shall report its findings and recommendations to the Town Administrator before October 1 of each year for his/her consideration in development of the capital improvement plan. This report shall be included in the Annual Town Report.

Each board or committee that has custody and maintenance of any town building shall cooperate fully with the Permanent Building Committee in the review and audit.
- 3) Financial Requirements and Notification. Any board or committee which proposes a project shall provide information regarding the project goals and the financial requirements of the project to the Permanent Building Committee at least 180 days in advance of the Town Meeting at which funding of any kind for the project will be requested. This information shall be simultaneously submitted to the Town Administrator, the Board of Selectmen, the School Committee, the Finance Committee, and the Capital Improvement Committee. The Permanent Building Committee shall review the information provided to determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report thereon to the Town Administrator and to the Capital Improvement Committee at least 30 days in advance of the Town Meeting.
- 4) Appropriations. The funds for the design and construction of a project shall be appropriated to and expended by the Permanent Building Committee under the direction of the appropriate Proposing Body, unless otherwise specified by Town Meeting.
- 5) Design Review. A Proposing Body which is to supervise the project shall submit to the Permanent Building Committee the design for that project, from which technical specifications for bidding and procurement shall be prepared.

- 1.) The Permanent Building Committee shall, in consultation with the Board of Selectmen and School Committee, adopt and make available to all boards, officers, and officials policies and procedures implementing the provisions of this Article. Said policies and procedures shall address at least the following subjects:
  - a) Financial requirements, including monitoring and reporting during construction, for each project within its jurisdiction, including the time period(s) within which information must be available.
  - b) General criteria the Permanent Building Committee will use in reviewing project designs, including but not limited to "green" considerations such as energy conservation, energy efficiency and renewable energy installations.
  - c) Guidelines to be utilized by Proposing Bodies in developing the structure and content of project documentation to be utilized by the Permanent Building Committee in carrying out its responsibilities under this By-Law.
  - d) Guidelines for the review and discussion of project progress with the Proposing Body during the design and construction thereof.
  - e) Guidelines for communication with Town boards and committees, including the Finance Committee and the Capital Improvement Committee, in connection with the Permanent Building Committee's annual review and audit of building facilities.
  - f) Guidelines for presentation of projects at Town Meeting, including designation of responsibilities as between the Permanent Building Committee and the Proposing Body.
- 1) The Permanent Building Committee may request staff support from the board or committee who has custody or maintenance of the building or land on which the project is located, or from the Proposing Body.

Submitted by the Board of Selectmen

*Motion: Moved that the Town vote to amend the General Bylaws by amending the Seekonk Bylaws adding: Section 2C: Establish a Permanent Building Committee as presented in this warrant.*

**Article 29:**

TO SEE IF THE TOWN WILL VOTE TO AMEND THE SEEKONK ZONING BY-LAW BY MAKING THE FOLLOWING CHANGES REGARDING A NEW CONTINUING CARE RESIDENCY CAMPUS OVERLAY DISTRICT (CCRCOD):

**Item 1.** Add a new Section 9.10, entitled "Continuing Care Residency Campus Overlay District," as follows:

**9.10 CONTINUING CARE RESIDENCY CAMPUS OVERLAY DISTRICT (CCRCOD):**

**9.10.1 PURPOSE**

The purpose of this Section, Continuing Care Residency Campus Overlay District (CCRCOD), is to: